UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/747,854	12/29/2003	Russell F. McKnight	P1506US01	2761

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EXAMINER
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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/747,854	MCKNIGHT ET AL.
	Examiner	Art Unit
	Stephen Alvesteffer	2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _04 March 2008_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-40 and 48_ is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-40 and 48_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

This Office Action is responsive to the Request for Continued Examination (RCE) filed March 4, 2008. Claims 1, 11, 21, and 31 are currently amended. Claims 41-47 are cancelled. Claim 48 is new. Claims 1, 11, 21, and 31 are independent. Claims 1-40 and 48 remain pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Barrett et al. (hereinafter Barrett), United States Patent 5,727,129.

Regarding claim 1, Barrett teaches a method of generating a persistent usage context, comprising: monitoring usage of resources of an information handling system (see column 7 lines 51-56; *"the number of occurrences of the page, i.e., the number of times in the past that this Web page has been downloaded, is computed. Preferably, the date and time of the prior downloads, or some suitable indication of how recently each download took place, is also obtained, and used later"*); generating a first representation corresponding to a first item of usage (see Figure 9, showing representations corresponding to items of usage); generating a second representation corresponding to

a second item of usage (see Figure 9, showing representations corresponding to items

of usage); communicating an association of the first representation to the second

representation so as to enable a determination of at least one of prior usage and current

usage of resources of the information handling system (see Figure 9 and column 9 lines

22-35; "*Each of these previously viewed pages have, in turn, two pages viewed before*

them, as shown. For the chronological relationships, connectors are shown, generally

numbered as 68. Because of the general graphical approach of showing the current

page and pages previously download soon before or after the current page, this might

be referred to as a "Local Trail" display").

Regarding claim 2, Barrett teaches storing the first representation and second

representation (see column 6 lines 59-65; "*In accordance with the invention, storage 18*

is provided for storing the profile to be developed as continuing use of the system by a

user establishes a history from which future predictions can be made").

Regarding claim 3, Barrett teaches that at least one of the first stored

representation and second representation may be accessed after termination of at least

one of the first item of usage and the second item of usage (see column 7 line 66

through column 8 line 2; "*Similarly, step 32 identifies other Web pages that, is prior Web*

surfing sessions, the user went to from the current Web page").

Regarding claim 4, Barrett teaches that at least one of the first representation

and second representation is capable of accessing at least one of a first item of usage

and second item of usage (see Figure 6, showing the representations having access to

the number of previous visits).

    Regarding claim 5, Barrett teaches that at least one of the first representation
and second representation is interactive with at least one of the first item of usage and
the second item of usage (see Figures 6 and 9, showing the representations interactive
with items of usage).

    Regarding claim 6, Barrett teaches that the first representation includes as a
part thereof the second representation (see Figure 9, showing several representations
in one display).

    Regarding claim 7, Barrett teaches that the association includes at least one of
chronological mapping, organization scheme, spatial relationship, shared usage, and
term of usage (see Figure 9 and column 9 lines 22-35; *"Each of these previously viewed
pages have, in turn, two pages viewed before them, as shown. For the chronological
relationships, connectors are shown, generally numbered as 68. Because of the general
graphical approach of showing the current page and pages previously download soon
before or after the current page, this might be referred to as a "Local Trail" display"*).

    Regarding claim 10, Barrett teaches that at least one of the first item of usage
and second item of usage includes at least one of browsing the World Wide Web,
printing, scanning for viruses, word processing, utilizing spreadsheets, utilizing a
database, enabling an operating system, accessing a network, network applications,
graphics usage, utilization of devices, and data manipulation (see column 7 lines 51-56;
*"In step 26, the number of occurrences of the page, i.e., the number of times in the past
that this Web page has been downloaded, is computed. Preferably, the date and time of*

the prior downloads, or some suitable indication of how recently each download took

place, is also obtained, and used later").

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Barrett (5,727,129) *supra* and Bauersfield et al. (hereinafter Bauersfield), United States

Patent 6,195,679.

Regarding claim 8, Barrett teaches every limitation of claim 8, but is silent

regarding the step of searching data relating to at least one of the first representation

and second representation. Bauersfield monitoring usage of Internet resources and

allowing users to search previously accessed resources (see Bauersfield column 4 lines

51-58; *"When the user searches through any of the history folders the pages can be*

filtered based on importance, only bookmarks, only history, only mail, by content, or any

combination of data types. The user can also view what she did over a certain time

period. For example, the user could choose to see what she did last Tuesday. A time

line displays all of the items in one scrollable time chart. Older activities appear

differently than newer activities"). It would have been obvious to one of ordinary skill in

the art at the time the invention was made to combine the usage history search

functionality of Bauersfield with the user interface of Barrett in order to provide users

with capability to search the data stored in the persistent usage context.

Regarding claim 9, Barrett/Bauersfield teaches that the search is performed by

at least one of type, topic, size, time taken for usage, time usage performed, user

defined criteria, and name (see Bauersfield column 4 lines 51-58; "*When the user*

searches through any of the history folders the pages can be filtered based on

importance, only bookmarks, only history, only mail, by content, or any combination of

data types. The user can also view what she did over a certain time period. For

example, the user could choose to see what she did last Tuesday. A time line displays

all of the items in one scrollable time chart. Older activities appear differently than newer

activities").

Claims 11-17, 20-27, 30-37, 40, and 48 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Barrett (5,727,129) *supra* and Austin, United States Patent

6,370,569.

Regarding claim 11, Barrett teaches medium readable by an information handling

system and containing a program of instructions causing the information handling

system to execute steps for generating a persistent usage context, the steps

comprising: monitoring usage of resources of an information handling system (see

Barrett column 7 lines 51-56; "*the number of occurrences of the page, i.e., the number*

of times in the past that this Web page has been downloaded, is computed. Preferably,

the date and time of the prior downloads, or some suitable indication of how recently

each download took place, is also obtained, and used later"); generating a first

representation corresponding to a first item of usage (see Barrett Figure 9, showing

representations corresponding to items of usage); generating a second representation

corresponding to a second item of usage (see Barrett Figure 9, showing representations

corresponding to items of usage); communicating an association of the first

representation to the second representation so as to enable a determination of at least

one of prior usage and current usage of resources of the information handling system

(see Barrett Figure 9 and column 9 lines 22-35; "*Each of these previously viewed pages*

have, in turn, two pages viewed before them, as shown. For the chronological

relationships, connectors are shown, generally numbered as 68. Because of the general

graphical approach of showing the current page and pages previously download soon

before or after the current page, this might be referred to as a "Local Trail" display");

wherein the resources of which the usage is monitored comprises devices coupled to

the information handling system over a network, and other information handling systems

coupled to the information handling system (see Barrett column 8 lines 49-61; "*FIG. 6 is*

a simplified representation of a Web page. A current URL display 48 shows the URL of

the currently-displayed page, in typical fashion. Also displayed are a set of URLs for

other Web pages which, in the past, the user has gone to from this one"). Barrett does

not explicitly teach that the resources of which the usage is monitored comprises

devices coupled internally of the information handling system, devices coupled to the

information handling system peripherally of the information handling system. It was well

known in the art at the time the invention was made that URLs can point to devices

coupled internally of the information handling system, as well as devices coupled to the information handling system peripherally of the information handling system (see Austin column 2 line 63 through column 3 line 9; "*The URL can also be a standard Internet URL, such as http, ftp, file etc. As an example, the URL can begin with "file:", signifying that a data file is the source of data. The remainder of the URL comprises a path that is meaningful to the machine where the data file resides. This includes files on the local machine or files addressable within the Internet that are accessible by the local machine. Thus the Data Socket client allows a program to address data or files locally, or from a server, or from a peripheral device*"). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the URL resources of Barrett to also point to local and peripheral devices as shown possible by Austin so that the functionality of the invention could be expanded to also include local resources.

Regarding claim 12, Barrett/Austin teaches storing the first representation and second representation (see Barrett column 6 lines 59-65; "*In accordance with the invention, storage 18 is provided for storing the profile to be developed as continuing use of the system by a user establishes a history from which future predictions can be made*").

Regarding claim 13, Barrett/Austin teaches that at least one of the first stored representation and second representation may be accessed after termination of at least one of the first item of usage and the second item of usage (see Barrett column 7 line 66 through column 8 line 2; "*Similarly, step 32 identifies other Web pages that, is prior Web surfing sessions, the user went to from the current Web page*").

Regarding claim 14, Barrett/Austin teaches that at least one of the first representation and second representation is capable of accessing at least one of a first item of usage and second item of usage (see Barrett Figure 6, showing the representations having access to the number of previous visits).

Regarding claim 15, Barrett/Austin teaches that at least one of the first representation and second representation is interactive with at least one of the first item of usage and the second item of usage (see Barrett Figures 6 and 9, showing the representations interactive with items of usage).

Regarding claim 16, Barrett/Austin teaches that the first representation includes as a part thereof the second representation (see Barrett Figure 9, showing several representations in one display).

Regarding claim 17, Barrett/Austin teaches that the association includes at least one of chronological mapping, organization scheme, spatial relationship, shared usage, and term of usage (see Barrett Figure 9 and column 9 lines 22-35; *"Each of these previously viewed pages have, in turn, two pages viewed before them, as shown. For the chronological relationships, connectors are shown, generally numbered as 68. Because of the general graphical approach of showing the current page and pages previously download soon before or after the current page, this might be referred to as a "Local Trail" display"*).

Regarding claim 20, Barrett/Austin teaches that at least one of the first item of usage and second item of usage includes at least one of browsing the World Wide Web, printing, scanning for viruses, word processing, utilizing spreadsheets, utilizing a

database, enabling an operating system, accessing a network, network applications,

graphics usage, utilization of devices, and data manipulation (see Barrett column 7 lines

51-56; "*In step 26, the number of occurrences of the page, i.e., the number of times in*

the past that this Web page has been downloaded, is computed. Preferably, the date

and time of the prior downloads, or some suitable indication of how recently each

download took place, is also obtained, and used later").

Claims 21-27 and 30 recite an information handling system that performs

substantially the same steps as the medium of claims 11-17 and 20. Therefore, the

claims are rejected under the same rationale.

Claims 31-37 and 40 recite an information handling system that performs

substantially the same steps as the medium of claims 11-17 and 20. Therefore, the

claims are rejected under the same rationale.

Claim 48 recites a method with substantially the same limitations as the medium

of claim 11. Therefore, claim 48 is rejected under the same rationale.

Claims 18, 19, 28, 29, 38, and 39 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Barrett (5,727,129) *supra*, Austin (6,370,569) *supra*, and Bauersfield

(6,195,679) *supra*.

Regarding claim 18, Barrett/Austin teaches every limitation of claim 18, but is

silent regarding the step of searching data relating to at least one of the first

representation and second representation. Bauersfield monitoring usage of Internet

resources and allowing users to search previously accessed resources (see Bauersfield

column 4 lines 51-58; "*When the user searches through any of the history folders the pages can be filtered based on importance, only bookmarks, only history, only mail, by content, or any combination of data types. The user can also view what she did over a certain time period. For example, the user could choose to see what she did last Tuesday. A time line displays all of the items in one scrollable time chart. Older activities appear differently than newer activities*"). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the usage history search functionality of Bauersfield with the user interface of Barrett/Austin in order to provide users with capability to search the data stored in the persistent usage context.

Regarding claim 19, Barrett/Austin/Bauersfield teaches that the search is performed by at least one of type, topic, size, time taken for usage, time usage performed, user defined criteria, and name (see Bauersfield column 4 lines 51-58; "*When the user searches through any of the history folders the pages can be filtered based on importance, only bookmarks, only history, only mail, by content, or any combination of data types. The user can also view what she did over a certain time period. For example, the user could choose to see what she did last Tuesday. A time line displays all of the items in one scrollable time chart. Older activities appear differently than newer activities*").

Claims 28 and 29 recite an information handling system that performs substantially the same steps as the medium of claims 18 and 19. Therefore, the claims are rejected under the same rationale.

Claims 38 and 39 recite an information handling system that performs substantially the same steps as the medium of claims 18 and 19. Therefore, the claims are rejected under the same rationale.

Response to Arguments

Applicant's arguments with respect to claims 1-40 have been considered but are moot in view of the new ground(s) of rejection. Newly applied prior art Barrett (5,727,129) *supra* teaches a network system for profiling user activities that monitors resource usage.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Alvesteffer whose telephone number is (571)270-1295. The examiner can normally be reached on Monday-Friday 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on (571)272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

                                        Stephen Alvesteffer
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